

**REMARKS****I. Status of the Claims:**

Claims 1-44 and 47-49 are pending in the application.

By this Amendment, claims 1-25 and 32-49 have been canceled without prejudice or disclaimer. Claims 29 and 30 have been amended. New claims 50-75 have been added. No new matter has been introduced by this Amendment.

Upon entry of this Amendment, claims 26-31 and 50-75 would be pending.

Applicant respectfully reserves the right to file the canceled subject matter in a divisional application.

**II. Election/Restriction Requirement:**

In the Office Action dated March 22, 2005, the Examiner issued a restriction/election requirement requiring Applicant to elect one of the following groups:

Group I. Claims 1-25, drawn to a method for distributing digital data wherein a release code is stored with data, classified in class 705, subclass 57.

Group II. Claims 26-31 drawn to point of sale apparatus for interacting with a remote license center.

Group III. Claims 32-40, drawn to method and apparatus for distributing digital data stored partly at a local site and partly at a remote site, classified in class 709, subclass 219.

Group IV. Claims 41-44, drawn to method of distributing digital data with storage on the final segments of media, classified in class 360, subclass 133.

Group V. Claims 47-49, drawn to method of processing returns of physical media have license codes, classified in class 705, subclass 58..

In response, Applicant provisionally elects to pursue prosecution of Group II, which includes claims 26-31. This election is made with traverse.

Applicant respectfully submits that: (1) all groups of claims are properly presented in the same application; (2) undue diverse searching should not be required; and (3) all claims should be examined together. For the foregoing reasons, it is respectfully submitted that the restriction/election requirement should be withdrawn and an action on the merits of all the claims is respectfully solicited.

Accordingly, Applicant respectfully requests consideration of at least claims 26-31 (in Group II) and the newly added claims 50-75.

**AUTHORIZATION**

The Commissioner is authorized to charge any additional fees which may be required for timely consideration of this response, or credit any overpayment to Deposit Account No. 13-4503, Order No. 4267-4000.

Respectfully submitted,  
MORGAN & FINNEGAN, L.L.P.

Dated:

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